

August 10, 2005

Mr. Jay Manning, Director
Washington State Department of Ecology
P.O. Box 47600
Olympia, WA. 98504-7600

SUBJECT: CONCERNS WITH DRAFT NPDES PHASE II STORMWATER PERMIT

Dear Mr. Manning:

I am writing on the behalf of the City of Mill Creek regarding the May 2005 Draft NPDES Phase II permit. Below, are some of the concerns that we have.

Monitoring: The current draft of the permit is too vague when describing the monitoring that is required. The City of Mill Creek agrees to continue the water quality monitoring that we are currently uptaking at North Creek but believe there are simply too many variables and factors that affect environmental conditions –non-point sources and other factors beyond our control to expect us to measure how stormwater programs and BMP's improve water quality.

Testing and Reporting Requirements: If WSDOE wants integrated, collaborative BMP monitoring, we believe the Department should bear the cost and responsibility for that testing, not cities or counties. We are also concerned that the reporting requirements, specifically items such as "expenditures" is a subjective measurement that does not improve the environment or our stormwater program.

Outfall and Tributary Maps: The permit is written to require outfall and tributary maps to be in a GIS format that meets Ecology's GIS standards and submitted to the Department with the fourth year annual report according to the May draft NPDES II permit. The City of Mill Creek currently has outfall and tributary maps in Autocad but they are not drawn to any particular state coordinate system. It will take money and time to have these maps re-drawn to match Ecology's GIS standards. The City of Mill Creek would rather spend money on projects that improve water quality and enhance streams than spend the money so we have maps that meet your standards. Our maps are useful to use and allows to determining where our stormwater system is.

Fiscal Liability and Staffing Concerns: We are concerned that we will be paying new permit fees and that Ecology will not make the commitment to have the staff in place to properly review the Phase II programs that will be required to be submitted. If standards are too high, and administrative review is inadequate, our liability exposure is actually increased, rather than reduced.

We ask that you and your senior staff take our comments into consideration so we can work together to resolve these issues.

Sincerely,

Douglas Jacobson, P.E.
Director of Public Works/City Engineer

cc: Marci Chew, Stormwater Technician

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